

NEWINGTON TOWN PLAN AND ZONING COMMISSION

Regular Meeting

November 12, 2008

Chairman Cathleen Hall called the regular meeting of the Newington Town Plan and Zoning Commission to order at 7:00 p.m. in Conference Room 3 at the Newington Town Hall, 131 Cedar Street, Newington, Connecticut

I. ROLL CALL

Commissioners Present

Commissioner Fox
Commissioner Ganley
Chairman Hall
Commissioner Kornichuk
Commissioner Pane
Commissioner Schatz
Commissioner Camerota
Commissioner Casasanta

Commissioners Absent

Commissioner Pruett
Commissioner Niro

Staff Present

Ed Meehan, Town Planner

Commissioner Camerota was seated for Commissioner Pruett.

II. PUBLIC HEARINGS

A. PETITION 47-08 – 367 Alumni Road, known as former Torrington Company, Newington Business Park, Kyle Niles, Sign Pro, Inc., 168 Stanley Street, New Britain, CT 06053 applicant, The Hampshire companies, DBA Newington 2007, LLC owner request for Special Exception Section 6.2.5 Directory Signs, I Zone District.

Chairman Hall: If the applicant is present, if you will come forward, state your name and address for the record, and present your application.

Kyle Niles: Good evening, I'm Kyle Niles, project manager for Sign Pro. We've been contracted by the Hampshire Companies to fabricate two directory signs to be placed on that property at 367 Alumni Road. If you look at your plans there, there are a couple of shabby signs, one at each entrance. They simply want new ones, will replace those and make them into directory signs.

Chairman Hall: Is that it?

Kyle Niles: Pretty much.

Chairman Hall: And this is the rendering, pretty much of the, front page is the sign essentially, that is the mock-up?

Kyle Niles: Yes, absolutely.

Chairman Hall: Ed, do you have some information from the staff side?

Ed Meehan: Just two questions, because the signs are permitted in the zoning regulations, as directory signs for locations that have multiple tenants, so it qualifies for both that as well as the height which cannot exceed twelve feet, which this meets the height. Are these going to be any way lighted?

Kyle Niles: No. They are not illuminated.

Ed Meehan: So that is just semi-gloss material you are going to use, the reflective material? I see in paint, it says semi-gloss.

Kyle Niles: Yes.

Ed Meehan: That was the only question that I had, and you already mentioned that the other miscellaneous signs are going to be removed.

Kyle Niles: Yes.

Ed Meehan: This is something that I think is long overdue there, and particularly now that you have a couple of more tenants in that building. As the Commission saw last month with the proposal for loading docks for General Nutrition, Shuco is in and operating, ICS is in and operating and expanding, so this would be a real convenience for, particularly for the delivery vehicles, the large trucks that are searching for the correct driveway, this will be a good addition for that site.

Chairman Hall: Questions from the Commissioners?

Commissioner Pane: I have a question. In our regulations, and I haven't finished reading it so I might be wrong, but maybe the Town Planner could fill us in, is there only one allowed per, directory sign per property, or "only one free standing sign may be permitted per property except on corner lots under one ownership the Commission may grant a second free standing sign when it finds that the frontage length of each intersecting street is at least 500 feet and the distance between signs as measured along the street right of way, is not less than 400 feet."

Ed Meehan: That is for the single type commercial sign, for one tenant. That would be like the sign that is on the corner for Dick's and Price Chopper. For directory signs you can actually do your directory sign off-site at a corner and you can have more than one as long as the placement is on private property and doesn't exceed twelve feet. So what you are reading there is for commercial....

Commissioner Pane: For free standing signs.

Ed Meehan: Yes, right.

Commissioner Pane: Okay, very good. Thank you.

Kyle Niles: The main sign for the park is out by Willard.

Chairman Hall: These are pretty much internal signs. Other questions from the Commissioners?

Chairman Hall: Anyone from the public wishing to speak in favor of the petition? Anyone wishing to speak against it? Anyone wishing to speak? Since we have no public here tonight, I think you get no yes or no.

Kyle Niles: That's a good thing I think.

Chairman Hall: All right, thank you.

Chairman Hall: Thank you very much.

Kyle Niles: Do you vote on this tonight?

Chairman Hall: Normally we don't.

Kyle Niles: So I don't have to stay?

Chairman Hall: No, you don't have to stay, and you will be notified by the Planner after our next meeting which is the 24th, Monday the 24th.

Kyle Niles: And if it is allowed and passed, then I have to go for a building permit?

Ed Meehan: Correct, that is the next step.

Kyle Niles: Thank you very much.

III. PUBLIC PARTICIPATION (relative to items not listed on the Agenda-each speaker limited to two minutes)

None.

IV. MINUTES

October 22, 2008

Commissioner Fox moved to accept the minutes of the October 22, 2008 regular meeting. The motion was seconded by Commissioner Ganley. The vote was unanimously in favor of the motion, with seven voting YES.

V. COMMUNICATIONS AND REPORTS

Ed Meehan: Two brief items, from the Town Manager's office, it's been sent out to all boards and commissions, the annual request for volunteer of the year award nomination. If the Commission has anybody I'd be happy to forward it down to the Manager's office for the Town Council. The second is correspondence to the Chairman from Mill Pond Church, essentially thanking you for your approval of the Special Exception, but also saying that at this time they don't plan on doing any external improvements to the façade. They will come back as required by the approval letters to submit the plans when they are ready to do that, but they have other priorities right now, certainly inside to be code compliant with the fire and building codes. But they want to let you know that they are not, other than putting a sign out there they are not going to do any embellishments.

Commissioner Pane: I thought some of the Commissioner members at the meeting wanted it cleaned up on the outside. It's an industrial building.

Ed Meehan: I think the way that the motion read Domenic was that.....

Commissioner Pane: No, I'm not saying that, I'm just saying that I think it was my impression from some of the members was that they wanted some work done on the outside. Just wanted to make that statement. That was the idea, to clean up the industrial building and stuff, and that was the impression that they gave us, just want to make that comment.

Chairman Hall: I thought he was going to do some painting on the outside, it's just that they weren't going to do the little embellishments and the.....

Ed Meehan: Well, they showed you a very rudimentary sketch and they wanted time to, time to probably find the financing for something more than that, and what I pointed out in my staff report, if they really want to do something they've got to be careful of the setback lines because they really only have about a foot and a half to the setback line, and they said they would change the sign.

Chairman Hall: That it for communications and reports?

Ed Meehan: That's all I have, yes.

VI. NEW BUSINESS

None

VII. OLD BUSINESS

None.

VII. PETITIONS FOR SCHEDULING (TPZ Monday November 24, 2008 and December 10, 2008.

- A. PETITION 48-08 Newington Plan and Zoning Commission applicant, 131 Cedar Street, Newington, CT 06111 Attention: Edmund Meehan, Town Planner, request for Zone Regulation proposed Section 6.13 Accessory Apartments, permitted in R-20 and R-12 Zone Districts by Special Exception. Schedule for Public Hearing December 10, 2008.

Chairman Hall: Petitions for Scheduling, and again, it's Monday, the 24th. I'll try to give a reminder on that and we have just the one. The Accessory apartments, no, that is going to be for the tenth. The 24th, we really don't have anything at the moment.

Ed Meehan: This is, as directed at the last meeting, I prepared the amendment application and submitted it to the two regional planning agencies to get the lead time for the referral, the thirty day referral. I think I sent it out in the packet there, so if there are things here that you strenuously object to, or I missed or you want to fine tune them, you still have time to do that before it's officially set down for public hearing; and it has to be available to the public in the form that it's going to public hearing fifteen days before December 10th. So, if you want to talk about it now, or the next meeting is cutting it kind of close, it should really be done tonight, or give me your comments between now and whenever.

Chairman Hall: Has everyone had a chance to go over it?

Commissioner Pane: I don't think we should be discussing it until after the public hearing and we hear from the public and then we can comment as a Commission on whether or not we like it or we don't like it.

Chairman Hall: Well, that's one way to do it, but I think another way because this has been written and in our packet, if there is something that you see here that bothers you and you want to discuss now, not that we are setting policy of any kind, but we are just discussing, because this really is the first time that we had seen this in this form, when it came through, so were there any things here that maybe were different from what you thought was going to be on it, or changes that, not that we won't change it again after the public hearing, but.....

Commissioner Camerota: I had just one thing, 6.13.17, and this is just a comment, and I'm not sure if we meant to keep it this way, but the second part of the first sentence, "shall be equipped with its own bath and kitchen." Do we want it make it mandatory, or do we want to say, may, so it's more optional?

Ed Meehan: Section 6.13.17?

Commissioner Camerota: Yes, the last paragraph.

Ed Meehan: Well, that's what really qualifies it as an accessory, is the independent kitchen.

Commissioner Camerota: Okay.

Ed Meehan: It's a living quarters.

Commissioner Pane: That's up for debate basically.

Ed Meehan: It's up for debate if you even want to.....

Commissioner Pane: You might not want a kitchen in it. That's why it's hard to discuss this right now because there are a lot of things in here that are debatable. So, what are we going to do, debate them now, and then.....

Chairman Hall: Well, just bringing them up as a point of information, that's all.

Commissioner Pane: Well, this has been a very hairy subject, very controversial. There are a lot of things in here that I don't agree with, but I mean, am I expecting you to change them now, no, I'm expecting to go to a public hearing, let the public speak, and then as a Commission, talk about it.

Commissioner Fox: Well, in some aspects, I can think I can agree with you Dom, but if we go, if we have a public hearing, and we go with this proposal, this draft, the way it is now, and then let's say somebody says, okay, I like this except for, 6.13.17, I don't think we should have our own bath and kitchen, then we're going to be making changes to coincide with the wishes of the public and then will have to have another public hearing to deal with those changes.

Commissioner Pane: Well, you have a good point, maybe then we should have had two meetings or something or three meetings to talk about this, and debate it, and then vote on something that we all wanted to bring to the public hearing. I'm sure Commissioner Ganley has things in here, I'm sure other people do. One of my comments would be the limiting of the cars. How can we limit somebody to the number of cars? That's, I have a concern with that. I have a concern with having a rear door to the dwelling, there's a few other things.

Chairman Hall: This is all stuff that had been brought up, we have discussed this on several occasions, and these are things that have been brought, so Ed put it into this form, and then sent it back to us for our review, and discussion, and then we move it to public hearing on the 10th, so that's what I want to hear. Do you have concerns? Are there things that you feel strongly enough about that you want to remove before we even get to public hearing, or, as a group are we going to decide to put this forward, see what the public has to say, and then change our mind at the end if we want to, or modify it after the public hearing?

Ed Meehan: I think the most basic thing if you could create, at least by consensus, what in your opinion constitutes an accessory apartment. Is it an independent dwelling unit with a bath and kitchen? If it doesn't have a kitchen, then traditionally and by most standards, it is not a separate living unit. So, I mean, that's the starting point and I think some of the other issues, as the Chairman says.....

Commissioner Ganley: I think we owe it to the public to at least give them the benefit of our best view of what this thing looks like. It just seems like we would be going around the table if we went to the public and say, well, they like this so let's put this in, and this one doesn't like this, so let's take it out. They aren't the ones that are going to be making the decision. We are, and I think we should go to the public and say, look, this is what we think can live with, what do you think? So we should get as much in here, fleshed out, and as much of it as makes sense as possible, so when we go there, then they would say, yes or no, or maybe nothing to say at all. I think we ought to have some discussion about what is objectionable and put it in or out. I think we have to do it whenever we can schedule it and then we just have to do it.

Chairman Hall: So what are some of the things, when you read this, just strike a cord that you are not happy with. Let's start from that point, instead of the things that you do like, what are some of the things that we might want to fine tune?

Commissioner Schatz: Like Ed said, if it's a kitchen and a shower and a john, or bathroom, then that's actually an accessory apartment. If it doesn't have these things, then it's not. So, and the doors, doesn't the Fire Marshal come in to play here somewhere on the doors, or exits.

Ed Meehan: The Building Inspector will for the single family home, you've got to have a second means of egress out of the second unit, that's why the idea is that you have, I heard Commission members talk about, the principal unit and the proposed accessory have to have a connection, by a hallway, or breezeway or direct connection, but to meet the building codes, you are still going to need a second door out of that accessory. It could be by the back door, or the side door. What I also heard from the Commission is to maintain the architectural style of the single family home, so that is why I'm saying it should be the back or the side, not putting two front doors on the house.

Commissioner Schatz: I understand. I'm liking here where it says you can't build anything in your basement.

Chairman Hall: Well, basement basement, and the question that I had on that was, when you are talking raised ranch, did we ever resolve that, what we consider that ground level, that's not a basement, right?

Ed Meehan: It's not a basement. It's a walk out, not a basement.

Commissioner Fox: Okay, that was going to be my question, for instance, a Jefferson split, such as my mother-in-law's former house on Main Street, she had in the walk in and walk out level, they had a den and then a back porch that they enclosed, would that be a basement or.....

Chairman Hall: That's ground level.

Commissioner Fox: That would be ground level, so if somebody wanted to, they could take that back porch and enclose it and put in a kitchen or whatever.

Ed Meehan: Right, it can't be below grade.

Commissioner Fox: And getting back to Michelle's comment, you are saying here that it shall be equipped with its own bath and kitchen. I can see if you don't put a kitchen in and just want another bathroom, that's not an accessory apartment, that's just an addition.

Chairman Hall: That's right.

Commissioner Fox: What if somebody does want their own bathroom and just wants a kitchen there, a kitchenette, like in, they want a little efficiency apartment?

Ed Meehan: Well the definition says that a second kitchen in a single family dwelling without a separate living unit, is not necessarily an apartment and is permitted subject to the building permits. A lot of people in Newington and elsewhere have a second kitchen they use.

Commissioner Fox: I read that in the definitions and I wanted to clarify that. Some people have another kitchen in the basement.

Chairman Hall: Many do.

Commissioner Ganley: I guess we are at a point where it's the number of doors. Do we advocate certain things and I'll just use doors as an example. A separate entrance, or you have to, the only entrance to get into this apartment is through the primary residence. If that is something that someone has an objection to, or they are for or against, maybe we ought to at least let the public know about that, because we had a round table discussion about that the last time, and I don't think it was resolved, at least to my recollection. What does anybody think about having two doors, one in from the residence and one somewhere situated on the back or the side?

Chairman Hall: Well the problem with the door is we can't consider it as only going one way, and you have to have egress from the apartment. So in order to have that, you have to have a door.

Commissioner Ganley: No, I mean, two doors is what I am saying, so, is there is a door from the primary residence into the apartment, as well as an outside door, there was some discussion about that, I don't recall it being resolved particularly, but that might be something that someone might ask us, but if it has been resolved, and our opinion is, there will be two doors, an outside door, and a door through the primary residence, we ought to at least tell them that.

Ed Meehan: That is the way that this is drafted.

Commissioner Ganley: That's why it's drafted....

Ed Meehan: You shall have an internal doorway connection to the principal residence.

Commissioner Ganley: Right, as well as an outside door.

Ed Meehan: Yes, the second outside door is because of the code requirements, but that second door cannot be on the front of the building. So if you are facing the public street, you cannot have another front door.

Commissioner Fox: Well, I discussed this on the side with Domenic, if somebody is going to add, whether it is part of the house as I was mentioning or if they are just adding, if they are adding one bedroom, a bathroom, possibly a living room, as long as it falls within the square feet, and a kitchen, if they, if it is an actual addition on the exterior of the house, they are going to need an exterior door, okay, and I don't know if they would get a c.o. for that without a door connecting to the rest of the house, for egress, because you are going to have another kitchen in there, and that kitchen changes your escape route, whether you are in the main part or the accessory. So I don't know what Chris would think of that.

Chairman Hall: Right.

Commissioner Pane: Okay, if somebody had a house, and off one side they had a couple of rooms and then they entered into the main foyer and then they entered inside, they wouldn't need an exit door off the side and so I mean, as long as you are entering into the main house, and there are two exits in the main house, why do we need an exit door out the back? This is something that is probably not necessary because you are treating this as a single family home. If you treat it as a single family home, and you don't treat it as an apartment, and that's what you are trying to do here, you are trying to treat this an apartment, and this is where you are going to run into problems.

Ed Meehan: If you have a second living unit....

Commissioner Pane: We're not talking about second living units. One of the other things was....

Ed Meehan: Yeah, it's a second living unit. It's an independent.....

Commissioner Pane: Well, I don't agree with having independent utilities, which I thought I read, okay.....

Ed Meehan: It's an option.

Commissioner Pane: Well, I don't agree with having that as an option, I think that really turns it into an apartment used for anybody. I have big problems with that.

Commissioner Fox: So do I Dom, but as far as you know, getting back to the two doors, you bring up a good point, but I think part of that would be determined on the location of the kitchen area. Let's say you're going from the main residence into accessory apartment and you have a kitchen right on that wall, that adjacent wall, you are going to need, the Fire Marshall is going to expect an egress right to the exterior. If you have it on the opposite side of the wall, that may be another story, because in the accessory apartment, the main source for fire hazard would be the kitchen stove, so, and I agree with Domenic about the separate utilities. One of the things I have a concern and I think Tom has mentioned, the two family house perception. You have two separate gas, water, whatever, you in essence, have a two family house. So, if let's say you have some people living with you, time for them to go, you know, maybe your kids and they have a kid so they want to get a house, or a dwelling of their own, there are separate utilities, into the paper goes, two family house.

Chairman Hall: Okay, I read that a little differently in the sense of separate utilities, in the sense that they had the ability to control it separately and the reason for that, if you have an elderly

person who is going to be in this apartment, they like it 82 degrees. You cannot expect the rest of the family to have the rest of the house at 82 degrees, so they have the ability for their thermostat, or whatever.....

Commissioner Casasanta: A separate zone as opposed to.....

Commissioner Fox: Exactly. Ed has, the way that this is presented, Ed is talking about separate meters.

Ed Meehan: Yes.

Commissioner Fox: You are talking about, and I agree that maybe it should read, their own heating zone because, once you do the accessory apartment as you say, if they have youngsters who like it cold, seniors that like it warm, you are going to want to split the heating system and put another zone in there, so if that is what we are talking about, I agree, but I don't agree with separate meters.

Chairman Hall: Yeah, you are talking two separate meters and two waters, I didn't really read it that way, so I guess I did that.

Ed Meehan: So this says it may have, an accessory apartment may have common utilities and may have separate metering devices.

Commissioner Fox: That I don't agree with, Ed.

Commissioner Camerota: That is like a separate apartment where they have common utilities but separate metering devices, or even a condo complex.

Commissioner Fox: Exactly, you have common utilities, but her meter has nothing to do with the neighbor's meter, so there you have two separate entities, not just a main residence and an accessory residence.

Commissioner Ganley: You have refreshed me quite a bit on the door, Mike, I recall raising the same issue some time back, for a couple of reasons, one, and it was the placement of the kitchen and other utilities, and I suggested at the time that the Fire Marshal ought to make a pass on it, for that very reason. The types of houses that are more readily converted into an accessory apartment are the, what we call split levels, but they are configured differently. They may look the same in some respects, but the inside configuration may be different. Thus, the Fire Marshal may look at the thing, and, if you are going to put the kitchen here and everything here, you are going to have to put another door, otherwise he may say, well, the layout is good, they can go down, they can come out here, hook a left and go out the side door which is on many of the garages that you see on the split, to get out there, because of the way that the wall is configured, so that's why I suggested that the thing be floated by the Fire Marshal. Unless we are brought up to speed on what to look for, and we could pass on it here, but I don't know that for sure. At least at the time that I culled out, I suggested running it by the Fire Marshal. If he said two doors, then two doors. If he said one door will suffice, well then one door will suffice. That should get us by the door thing I think.

The other thing is, we have got to remember, this will be an apartment that can be rented by anybody. Anybody can rent this apartment.

Commissioner Schatz: In here Ed, nothing says anything, maybe it is just taken for granted, nothing says what this addition sets on. We assume it is a foundation, right....

Ed Meehan: Yeah, it's a crawl space, or

Commissioner Schatz: But in Massachusetts it would be a, you dig four feet down, you drop your footings in and form it and you have what they call a cropped cellar.

Ed Meehan: It doesn't have to be a full foundation.

Commissioner Schatz: Oh, it doesn't?

Ed Meehan: No, it could be a crawl space.

Commissioner Schatz: I didn't know if there was

Chairman Hall: That's if you add on. A lot of these are going to be retrofitted to existing space that they might add the kitchen to.

Commissioner Ganley: If there is going to be another door, we'd have to be sure that when they get out that door, if it's snowing, they don't open the door to a snow drift. There has got to be a walkway or something leading out along side the house to the driveway, when they come out this other door. I don't see any point in having them open up the door and they are on grass, or if it snows, they can't open the door, and the door has to what, swing out? We had the same requirement and I brought the same issue up at the building on Brockett Street. The door, and I said, remember the one that is up in the little L-shaped building up there.

Chairman Hall: Oh, the new office or retail thing?

Commissioner Ganley: Yes, the old Polombizio property, I said the same thing, you have to put a door here, so he did put a walkway back to it.

Ed Meehan: You have to have a landing.

Commissioner Ganley: So something like that that goes with the door.

Commissioner Fox: Well, wouldn't the building code determine that?

Ed Meehan: Well, what Tom is talking about is a commercial building, where you have to have a door, a pass door go to a landing, and you have to have an awning over it to prevent the snow. Now for single family homes, which this is going to get reviewed by, maybe the solution here is in Section 6.13.5, is to insert the words, reviewed and approved by the Building and Fire Code officials.

Commissioner Ganley: I'll buy that.

Ed Meehan: Then the whole layout of the particular residence, because you can get all kinds of variations, is more specific to that site.

Chairman Hall: Yeah, because you could build on a slope.....

Ed Meehan: You can have slopes, you can have.....

Chairman Hall: And we have to be cognizant of safety.

Commissioner Casasanta: I have a question regarding the parking spaces. Why is it a, for my own clarification, why is it no more than three?

Ed Meehan: Okay, what I looked at there was, and there were a couple of concerns in some drafts back in June, and May, about having an excessive number of cars in a residential zone. You would have the whole front yard paved and the side yard paved, and rather than trying to, you have to have at least two cars, off street parking for a single family home in Newington. So what I simply did is say, okay, for the accessory again thinking you want to limit the occupancy, that occupancy can have one car. That gives you your three spaces per single family lot.

Commissioner Casasanta: Now is that garage based, driveway, is that, what are we considering to be a parking space?

Ed Meehan: That's outside surface parking. We don't count, the cars in the garage wouldn't count. This would be outside.

Chairman Hall: This would be off-street in other words.

Ed Meehan: So you could say you have to have two off-street parking, two hard surface off-street parking spaces per unit, so that is going to be four. Two for the principal, and two for the accessory. The other part of this is you are saying that it has to be a one bedroom accessory, it has to be limited to two people, if you want to be somewhat restrictive in this, and you are concerned about who is going to be occupying it, limit the number of cars because I think if you say you could have two people in there, you could have two people with two cars, now you have maybe three people in the principal house, they have a house where the teenager has a car, you have an accessory with two young people who have cars, now you have five cars on the lot. Is that what you want to see?

Commissioner Pane: It's not enforceable first of all, and you can't tell.....

Ed Meehan: If you don't let them pave it, it's enforceable.

Commissioner Pane: It's not enforceable. You are not going to be able to go around and tell somebody because they have two or three teenagers that drive, plus the husband and wife, that they can't park their cars there. I don't think that's going to swing.

Ed Meehan: Not in your typical single family situation, but if they come before you for the Special Exception for an accessory, and they provide a plot plan, you can say, where is this person who is going to occupy the accessory going to park, and if they already have room for three cars because they have a double garage and they can pave a little extra, that's their three cars.

Commissioner Pane: Maybe limit the accessory to only one car.

Ed Meehan: Well, that's what this does.

Commissioner Pane: No, this almost limits the single family too.

Ed Meehan: This is just for accessory, this section is just for accessory.

Commissioner Pane: I understand that, but that's also saying that the principal use can't have more than two because, that's what this is saying, that the accessory can have one but there is, the primary can only have two.

Ed Meehan: Well, no, you could have two people living in the accessory, you could have two college kids living in your accessory apartment, each have a car, and the uncle could live in the principal and only have one car.

Commissioner Pane: That's what I'm saying.

Ed Meehan: A combination of any.

Commissioner Pane: And I'm saying that that is being, being restrictive that the accessory can only have one, you can't be restrictive of the primary. What if they have kids?

Ed Meehan: Well, how do you know who is parking in that space.

Commissioner Pane: That's why I said, this is totally unenforceable. This is totally unenforceable.

Ed Meehan: You can't enforce who is using the space, but you can enforce the number of spaces.

Commissioner Pane: This isn't even enforceable, it's not going to fly, you are not going to tell somebody not to have a couple extra cars, it will never happen. Our zoning enforcement officer has so many things on his hands now, that he is not going to go around counting cars at accessory apartments.

Ed Meehan: Well,.....

Commissioner Pane: And that is the least of our problems, it comes out to the subject, do we really want to turn R-20 residential lots into open apartments anywhere? That's what it comes right down to.

Ed Meehan: That is your call. That is a policy call, and it's up to you.

Commissioner Fox: You mentioned college students, and I know there are a bunch of college students that rent rooms and homes close to Central, and we're limiting, and I don't even know if we can do that, I don't know if Benny even approves of us limiting the number of persons, never mind what kind of people, limiting it to two persons. So let's say we get two college kids, two old fashioned college kids, one male and one female. They are going to want two different bedrooms. You are saying that two people can live there, but, you know,.....

Chairman Hall: Then they would have to go and find some place else.

Ed Meehan: It's a one bedroom accessory, it's not.....

Chairman Hall: We are saying that we only want our accessory apartments to consist of one family.

Ed Meehan: I got the sense of the Commission, well, I got a couple different messages, and I also got another message that if you are going to do this, you want to have a good handle on it. That you don't want to have cars all over the lot, you don't want to have more than one bedroom, that you want to have internal doorways, that you want to have control on the architecture, so there is no foolproof way of writing this to make it as tight as a drum, but the Special Exception process gives you some latitude to get some controls on it. You have more controls on this than you do on a single family home.

Commissioner Fox: Which is one of the reasons, probably the main reason why I am more and more dead set against having accessory apartments go back into the regulations.

Commissioner Pane: If you want to make it real restrictive make it so it is based on hardship. They come in front of the Commission, based on the hardship, based on their situation, they get approval, it's only good for one year at a time, they come back again, and it does not travel with the property.

Ed Meehan: Then you are regulating the user, not the use. That's what both of the opinion letters from the attorney said you couldn't do.

Commissioner Pane: Oh, I guess we can't have it then.

Ed Meehan: No, no, they said you cannot regulate the user, you can regulate the.....

Commissioner Fox: Wait a minute, wait a minute, is Domenic regulating the user here? No, he's not saying the user must be over 65, under 25, have an income of less than \$20,000, all he is saying is that you can use this accessory, you can put an accessory apartment here, and whoever you want to put into it, they can stay there for a year, and then you have to come back and get approval for another year.

Commissioner Pane: And it doesn't travel with the property.

Ed Meehan: You're making them prove a hardship, what's.....

Commissioner Pane: Well, not a hardship, they would have to come, not necessarily a hardship, maybe use a different word, maybe I shouldn't have used hardship. They need to come in, and apply for it, based on their situation and it's not automatic, they have a sick mother, they have this, they have that, and then the Commission takes it into consideration. They present their case to us. Why should it be an automatic approval?

Ed Meehan: It's not. It's a special exception.

Commissioner Ganley: Once they have the apartment in place, it's simply up for grabs. You can't approve these things and give anybody who applies or anybody who looks at the regs or has an opinion if they come to the public hearing, that we are doing this thing on a wink and a nod. We're not. When this is approved, whatever final shape it takes, it's going to be an apartment, and it's going to be an accessory apartment and anybody who wants to rent it, and anybody who the owner wants to rent to, will be permitted to rent it to them. Anybody who comes up and says, I'd like to rent your apartment, will have some type of legal access to that apartment, and I don't know what all the fuss is about, those two letters.....

Chairman Hall: And it also doesn't have to be rental, per se, it can be a use.

Commissioner Ganley: Sure, you're right, they could say, well look, I've been doing it for my in-laws primarily, my Aunt Matilda, whoever they are doing it for, but there will come a time when they're not there. So now the couple has a vacant apartment, they can do as they please. They can simply rent it to whoever they want, and that's the way that it is going to unfold over the course of time, irrespective of what someone says when they come to the counter, so when we go to public hearing, make it very clear that that is what it's going to be. As I say, no wink and a nod about this whole thing, and this discussion has been good by the way, we've narrowed down the thing with the doors, we've narrowed down the thing with the cars, this is exactly what I said at the beginning of this discussion, let's get enough on the table so that when we go to the public

we gave them our very best shot as to what we think, instead of waiting for them to come and tell us, well, put this over here, and put that over here, I think this is the best way to resolve it, but that's my opinion about apartments. It's up for grabs. You are putting an apartment in.

Chairman Hall: And the other thing that we are assuming, or some are assuming, is that there is going to be a great rush to do this. I will be very surprised if we have more than two a year on this. Up to this point, when it was in the regs before, we had several. Yes, there was a nightmare situation, that was not your normal situation. The situation that led to removal of that accessory apartment, that was an aberration, that was not your normal. Most people, if they are going to use this, are going to have a need to do it, and certainly in the next couple of years, there's not going to be a heck of a lot, because nobody is building anything, they just don't have the ability to do it.

Commissioner Pane: It wasn't bad the way it was before, we had some restrictions on it, but now it's out, we can't put the same thing back in, so we can't put the same thing back in, so it now leads to a totally different situation and I agree with Commissioner Ganley and last meeting we talked about a press release, and whether or not we were going to do anything so that the public was aware of all the situations, and the problems we were having and whether or not we wanted to allow this back in, that it's going to lead to apartments, so we may have a handful of people out there, from the general public that feel.....they did a press release and I wasn't aware of it, is that what you are going to show me? What paper was that in?

Commissioner Ganley: That was the Courant, July 24th, the day after we went around the table on consensus as to whether to bring this back and we said we didn't want to touch it. So, as you recall, they went and got another opinion who said the same thing as the first opinion absent the tear at the beginning of the first opinion that we got, saying that we shouldn't have done away with it, but now that we have done away with it, we can't bring it back, because it's illegal. They we got the second opinion which said it is flat out illegal, so that kind of settles the illegality of bringing back what was called in-law apartments, so they are just apartments. When we go to public hearing I would imagine if any reporter is sharp, what they will probably do is pick up on this, and maybe regurgitate some of the discussions we have had and maybe this piece here, so we may get a reasonably good turnout.

Commissioner Pane: This is the old press release.

Chairman Hall: If there are any reporters left by the time we get to this.

Ed Meehan: Well I think you have to, this is a very good conversation, but there are two things under zoning you have one hundred percent control within your policy making. First is the use. The zoning board has the power to determine use. This is a question of use. Do you want an accessory apartment in the R-12 and R-20 zones? That's one question. The second is its physical location, spatial attributes and amenities, how it fits on the property. Meets all the side yard setbacks, yada, yada, yada. The third thing is the procedure, either by right, come in and get a zoning and building permit, or by special exception, special permit. So those are the three check-off's that you can look at, and this is an attempt to try to put together some fairly, I think maybe clearer, little bit more restrictive physical parameters for accessory use than what was in the regulations before, but as Tom and Domenic said, what you had before was more regulating the person who was going to be in there, and I'm not sure how you enforce that, either, once they get somebody in there, you don't know.

Commissioner Fox: No, we don't.

Chairman Hall: Well, we found it.

Commissioner Fox: On Beacon Street, and that other one.

Chairman Hall: You found it historically that there was no way.

Commissioner Fox: I think that Beacon Street was a garage conversion, wasn't it?

Chairman Hall: Well, and plus an addition. They actually put on an addition as well.

Commissioner Fox: Never mind an accessory, it was two houses in one.

Ed Meehan: And they never got permits in the first place.

So I guess if you are going to go forward with the first decision, which is the use, and you agree on the procedure, that it is not just going to be done automatically, you want to have a public hearing, notify the neighbors, and they will be able to attach reasonable conditions. Those are the two issues, the third one is what physical condition, parameters, do you want to put on this, and do you have those in this draft that is going to be taken to public hearing. I had one suggestion to run it by the Fire and Building Inspector tonight.

I will do a press release when we get a little closer to the public hearing.

Commissioner Fox: Just as an aside, one of the reasons that I was agreeable to deleting it from the regulations was, as you just mentioned, the neighbors. I don't remember, and I think Pete is the only one who has been on this commission longer than I have, and I don't remember having an accessory apartment, a special exception for an accessory apartment or in-law apartment come before us where the neighbors didn't just keep parading up, back and forth, saying why they didn't want it.

Chairman Hall: Yeah, but that was personal. You have to understand that whole situation was personal.

Commissioner Fox: Not only that one situation, but any situation. I don't remember going to a public hearing on an accessory apartment without having a large number of people against it, and not very many, if any, for it. So, in other words, our mission here is to do what is best for the town, while not disrupting the individual neighborhood, and in my opinion that's exactly what accessory apartments were doing, for the most part. And, like you say, I don't know how many people are going to come up for accessory apartments, which brings up another thing. There are so few people coming in for accessory apartments, whether it's for their in-laws, for elderly, for kids just starting out, whatever, relatives, not relatives, there aren't that many. There aren't that many that, although they knew there was a public hearing came up and spoke against it. I think you can count on one hand, maybe two hands how many people actually came out against it. So, I want to see a good one, if we are going to put it back, I want to see a really well written one, and the big hullabaloo is the prejudice against senior citizens. It would be very interesting, if this gets back into the regulations, how many senior citizens are going to want to move into a accessory apartment with their daughters, sons, son-in-laws, whatever, so, I don't know, it's very complicated.

Chairman Hall: It is very complicated. It's very emotional and it's very complicated.

Commissioner Fox: Well, the emotions should be taken out of it.

Chairman Hall: But it won't be. And you know it won't be, and when we have the public hearing, you will see that there will be emotion that comes before us. It is going to be our job to remove the emotion from it and get regulations that we think fit the need, are not too restrictive, yet are not too open, so it's going to be a very fine line that we are going to walk.

Commissioner Pane: You are making it sound like we have to make these regulations to fit this accessory apartments. We don't have to do that. We as a Commission have to decide whether or not this is what we want in our R-20 zones. I mean, you're making it sound like we have to do the job to try to make sure that it fits and that everybody is satisfied here.....

Chairman Hall: Right, well let me back up and say, if, if, we are going to do this, it is our job to make sure that it protects the town, it protects the neighborhood, and it protects the home owner. So, if you feel better with the fact that I put the word if in front of it, I will do that.

Commissioner Pane: I do.

Chairman Hall: But, this has come back and it has come back to our table several times, and we decided to move forward with it, this is what we came up with at this point, and that's why we are having the discussion tonight, because if you will see on your agenda, we also are scheduling it for December 10th, so we need to know where we are, maybe not one hundred percent, but at least the direction we are taking so that on December 10th, we don't sit here like this, as if it just came out of the sky at us. So that is why we are doing it.
Any other comments, questions?

Commissioner Casasanta: The only thing that I am having trouble with at this point in time, and I agree with Domenic over the parking, only for the simple reason that it seems as though that we are putting restrictions on the homeowner who has an accessory apartment that don't exist on homeowners who don't have an accessory apartment in terms of parking spaces. To me that doesn't seem quite fair, and I understand the purpose of restricting it and believe me, it's not that I'm opposed to putting those types of limitations on it, but it just doesn't seem fair to me that, you know, the guy at 110 Main Street, who doesn't have an accessory apartment has a two car garage and has a driveway big enough to fit four cars, and so theoretically has six parking spaces available to him, and yet the guy at 115 Main Street who has the accessory apartment can only have a two car garage and they are limited to three parking spaces in their driveway, so that part doesn't seem quite right to me, and I don't know the answer to that, but it just doesn't seem right.

Commissioner Fox: And the answer to that is that the guy at 110 Main Street just put that extra paving in on his own.

Chairman Hall: And that happens more than you think. Speaking of, there is a place on Main Street that I drove past tonight, with six cars in the driveway, and two in the town right of way, and it's like that all the time.

Commissioner Fox: I see that in my neighborhood all the time. Is it my neighborhood?

Chairman Hall: Yes it is. You know which one I am talking about, and it's that way all the time. It's a touchy subject, it's just, nothing makes a neighborhood look worse than a bunch of cars all over the place. Nothing makes it look worse.
Any other questions, comments? All right, are we sufficiently.....

Ed Meehan: Do you want me to go forward and tune this up to reference Fire Marshal, Building Inspector. Other changes, I'm listening to you?

Commissioner Pane: We talked about Section 6.13.7, about may have separate metering devices, I think that the accessory should have common utilities and cannot have separate metering services.

Commissioner Camerota: That would still allow them to zone it however they want. It doesn't restrict it.

Chairman Hall: No, it doesn't restrict it....

Commissioner Pane: It doesn't restrict internal zoning.

Chairman Hall: It's just meters.

Ed Meehan: You want to say, shall have common utilities.

Chairman Hall: May have separate internal....

Commissioner Fox: I don't think you have to put that in there at all, that would be up to whoever, the architect, and the building department.

Ed Meehan: Common utilities and shall have common metering devices?

Commissioner Casasanta: Just say common utilities, and scratch out the may have common metering devices.

Ed Meehan: Common utilities, okay.

Commissioner Camerota: Do you want to put in there that they cannot have separate metering devices?

Commissioner Pane: I'd like that, because then it spells it out.

Ed Meehan: Yeah, but you could end up with two meters outside, you could have two gas meters, two electric meters.

Commissioner Pane: No, cannot have separate....

Ed Meehan: You could do it that way, but under this, the way that it is written now, and you want to limit that, so if you say, instead of saying may, say cannot. Can not have....

Commissioner Pane: Can not have....

Commissioner Fox: Can not. Will not.

Commissioner Pane: Can not have separate meters.

Ed Meehan: Okay, accessory apartments shall have common utilities and shall have, and shall not have separate metering devices, correct? Shall not have.

Commissioner Pane: On the parking issue, the 6.13.8, no more than three parking spaces shall be provided for the use of the principal dwelling and the accessory apartment, unless approved. I think that the accessory apartment use shall not have more than one parking space, and don't limit the main house, but this extra use cannot have more than one parking space.

Commissioner Ganley: But how would we know?

Commissioner Camerota: Well, when they come before us with their proposal, we would ask, you know, how many vehicles, and make sure there is sufficient parking.

Commissioner Ganley: Well, they may say that the other guy has got one, and then his paramour moves in, and has another one.....

Chairman Hall: Or you have a winter car and a summer car.

Commissioner Schatz: But it says approved by the Commissioners, so if a family came in and said, Mom and Dad, they're not, they're still driving and my wife drives, so there are four cars, and we could approve that.

Ed Meehan: Unless otherwise approved by the Commission, so you have some, you have the latitude.

Chairman Hall: All right, so we can still leave that in. I still like that.

Commissioner Schatz: Yeah, because we have to approve it, we could always turn it down.

Commissioner Fox: You do, but look at my driveway, but they are all parked nicely.

Chairman Hall: No, it's in the back, and that's the whole point, you could have twenty of them back there, and you don't see them. It's the ones that are right out.....
All right, anything else that we want to find tune while we are here?

Ed Meehan: Are you okay with the definition?

Commissioner Pane: No. It says accessory apartments may have separate utilities, we don't want that, you have to change that.

Ed Meehan: We changed that.

Commissioner Pane: Well, you changed the 6.13, I just want to make sure that you have it under the definition. Do you really feel that we need the separate kitchen utilities? We talked about it briefly.

Chairman Hall: That's what makes it an accessory, otherwise it's just an additional room, which they can do now. We don't need a separate regulation. So we are right back to square one.

Commissioner Pane: You know, they are eighty years old, why do they need a second kitchen?

Chairman Hall: Because they are going to do all of the cooking.

Commissioner Pane: Well then, invite them into the main house. After all, it should be for family.

Chairman Hall: Anybody else?

Commissioner Ganley: This is our best shot, they know what our best shot is, and I think they are entitled to that.

IX. PUBLIC PARTICIPATION

(For items not listed on the agenda)

None.

X. REMARKS BY COMMISSIONERS

Chairman Hall: You know, I also screwed up again, I'm good at this, but anyway, I think we were going to close that, we don't need to bring that back again for the signs.

Ed Meehan: I think you did close it.

Chairman Hall: No, I never said the words. Well, anyway, we're assuming that will come back as Old Business on the 24th.

Commissioner Kornichuk: I just have one. McDonalds, they need to do something with that sea grass, because I took my grandkids there Saturday for breakfast and when I backed out of a spot I almost got clobbered, when they come off that highway and down that side driveway, you can't see them. They've got two monstrous sea grass there. They need to go.

Commissioner Fox: The other thing about McDonalds, one of the things that I brought up when they came before us was that left turn.

Chairman Hall: Oh, please! Every time I go down there.

Commissioner Fox: I almost got clobbered this morning. They drive over the median, remember I kind of suggested something on the center line, like a little divider, we have to do something.

Chairman Hall: It's amazing, constantly. Every time of the day, doesn't matter.

Commissioner Fox: Maybe you ought to ask, that's a state road, put some flashing lights on that no left turn sign.

Ed Meehan: There are some questions to eliminate the left turn, the left turn sign there, but the traffic engineering staff for STC does not want to eliminate that. They permitted that driveway, they had to get a permit from STC to put that driveway in like that.

Chairman Hall: So it remains as decoration only.

Ed Meehan: An officer could sit there all day and write tickets for taking an illegal left.

Chairman Hall: That would be a great source of revenue for the town.

Commissioner Ganley: They don't get a dime.

Chairman Hall: Oh, they don't? That, and the gas station on Fenn Road.

Commissioner Fox: Up over here on Main Street and Cedar Street, they go through the exit part, instead of trying to get around the medium. I saw a truck go bouncing right over the, that medium.

Chairman Hall: Main and Cedar, what part of Main and Cedar?

Commissioner Fox: Where Brooks is. Going north on Main Street, you can't make a left into that parking.....

Chairman Hall: The exit, oh yes, over near what used to be Quest and Barb's Pizza and all that. Okay. I was on the other side of the street, I'm sorry.
Any other remarks by Commissioners?

Commissioner Schatz: One question, and I don't think we have any control over it. The light at Maple Hill and Cedar Street, okay, is a sequence of, traffic going west, the light will turn red, and the oncoming traffic keeps coming, and I've seen kids come down to the intersection, push the button, they see that traffic stopped, stopping, and they just assume that they can go. The cars are still coming.

Ed Meehan: The eastbound cars are still coming.

Commissioner Schatz: That's a bad situation.

Commissioner Fox: Either that, or change the delay in the sign that says walk, the walk/don't walk sign.

Commissioner Schatz: Or change the delay going west, make them the same way.

Chairman Hall: Any others?

Commissioner Pane: Grove Hill is moving over to Willard Avenue so now we have a sign there which was a controversial sign, with this Commission so maybe we can make sure that this sign is not going to be used for a new tenant.

Commissioner Schatz: Were you on then?

Commissioner Pane: Yes.

Commissioner Schatz: And you missed it.

Commissioner Pane: No, it was just added on, it went to zoning.

Ed Meehan: A building permit, it didn't come before the board.

Commissioner Kornichuk: Well, at least it's gone now.

Chairman Hall: Or will be, January.

Ed Meehan: I found out they are not moving to Fountain Pointe, they are moving to the next buildings.

Chairman Hall: Spectrum Office Park. Right.

Commissioner Pane: Speaking of Spectrum Office, now that you bring that up, that complex was approved with uniform signage and there is no longer uniform signage over there.

Ed Meehan: The green building, or the one next to it?

Commissioner Pane: It used to be beige and now it's painted green, they all used to have uniform signage, that is the way that this Commission approved that complex and now tenants have come back for different signs and the building department or zoning, or somebody or whatever have approved different signage so now you don't have uniform signage any more the way that that was supposed to be approved.

Ed Meehan: I'll have to look, I wasn't around when that was approved.

Commissioner Pane: You were here.

Ed Meehan: Not with Spectrum. It was a Mr. Ray Fortier development.

Chairman Hall: Yes it was.

Commissioner Pane: That complex, like many complexes, like many complexes there is uniform signage on the buildings.

Ed Meehan: Where there is more than one, multi-tenants.

Commissioner Pane: Multi-tenant, it's uniform signage and now it has changed and that is something that the Building Department should have caught as tenants came in. That, or if they wanted to change them, they should have changed them all.

Ed Meehan: Well, I can look into that, I know there is something in the sign regulations about uniformity between, if you have more than two tenants. Whether it applies to that one or not, if you say it does, I'll look at.....

Commissioner Fox: So what are you going to do? Cite those that aren't.....even though they have been approved.

Ed Meehan: No, you can't really do that. Can't reverse the approval.

Commissioner Fox: Or did they get approval?

Ed Meehan: That's the question. If they didn't get approval, then they can be required to be uniform. If they got approval, came in with their electrical permit and their sign permit and they got a zoning and building permit, you can't go back on them now.

Chairman Hall: Other remarks?

XI. STAFF REPORT

A. 2006-2016 Plan of Conservation and Development (PODC) Draft RFP.

Ed Meehan: Well, I wanted to take a few minutes and talk about the draft Plan of Conservation and Development, the request for proposal. The legal ad which is one paragraph was issued today, was advertised in the Hartford Courant and then the body of the RFP is what we are looking for a consultant to begin some work on, and bring him on board. I put it out to the Commission members to look at for other things that you see that a consultant would be helpful in, so we could add that to the RFP. Basically it's the baseline data, the housing, the economic, the population and then some help with some visioning as far as land use goals and strategies. Not a lot of work on that because I think most of that should come from the Commission members

and what you get at public workshops, from other boards and commissions as far as public input. So you really don't need a consultant to do that.

We have a \$20,000 grant and I don't know what sort of fixed price proposals we'll get, but based on my understanding of what a consultant could provide I would hope that a good portion of the \$20,000 be set aside to help the Commission do your publication, the final layout and version to be published which is fairly important. So the idea is to bring this consultant on board during December, get him working January and February and attend some workshops. The proposal requires he be at least three public workshops. So that is what the RFP is about.

B. 1995-2005 PODC Review of Policies, Strategies and Actions Completed.

The other plan that is on the table tonight, we started to go through the existing Plan of Conservation and Development and the front end of that, which is projections and then the economic component and the housing component, and the column on the left is what was said in the Plan that was adopted in 1995, and there were like ten year projections, or ten year strategies that the Commission back then set down and adopted as part of a plan. So what I have done is gone through and on the right under the column that says "comments" I've give you some information on where the projection is today as far as whether it became reality or not, to see how close we are, sort of an audit or a measurement of some of the information that we thought would happen, twelve years ago now as far as like how much land we are going to use up, or population projections. We're pretty close on the total population. You see that OPM is still going to call for the population to decrease in Newington. I'm not sure that is going to happen if the housing developments that are approved are completed. Well, Pulte we know and Toll Brothers are going to be completed and I think we are going to stick around the 30,000 level. I don't think we are going to go down as low as OPM thinks we are. The big variable there is what happens to the housing stock, as far as single family homes. If they become reoccupied, you know, household sizes are going down so they may not be reoccupied with two or three children, maybe just one or two, so that may bring the population down a little bit. We know that statewide the school enrollment is going down and Newington has already started to take that slight decrease in number of school students, school enrollment.

As far as acreage consumption, we've been through these numbers before, we're obviously out of land. We're down to about almost say one thousand acres and fifty, fifty-five percent of that is poor land as far as wetlands and flood hazard, so what is left is a few large chunks of industrial and residential. You can name them on one hand, the Haltner property down on Culver Street is about a twenty acre piece left, large piece up off of Russell Road which is owned by Balf Company, it is zoned R-20. That's a sixty acre piece, and other than that there are scattered pieces around town. What we have done, I went back through the building permits and that is where the housing numbers come from as far as number of housing units built, but what has happened is, as these vacant residentially zoned pieces have been used up, the smaller, pre-existing non conforming lots seem to be more frequent, and that's where, we went back and looked at like 106 pre-existing legal non-conforming lots over the last decade have been used up, scattered all over town. So not a lot of land left for subdivision is the point.

The other thing that has happened is commercial land has been converted to residential use such as Toll Brothers Hartford Drive-In. There has only been one incidence of residential land being converted to commercial and that is the Polombizio site on Brockett Street. All the other commercial developments for the most part have been re-using existing commercial or industrial land. So we haven't used a lot of industrial land because there is not a lot left to use. An example would be Target. They tore down a couple of homes and consolidated some of that piece, so that's what I think the trend is going to be, so we have to be, as we talk about future land use, policies and strategies, and we know that the town is not going to have a lot of population growth pressure, to zone more land for residential, I think it comes down to how we reuse some parcels more wisely for redevelopment and then issues on density. I don't think you need to do a great deal to accommodate more people, more higher population because the

projections say that you are going to go down. It's not like, if the population projections said you are going to have forty thousand people living in Newington in 2020, and you didn't have any residential land left, how would you accommodate that population growth? Well, the answer is more density on the land, but I don't think you have that situation in Newington. We can accommodate growth without increasing the density substantially. There may be parcels that you want to look at, because of their location, that may be suitable for higher density as part of transit oriented development on Fenn Road or up at Newington Junction, but beyond that, I don't think there is a big pressure for increased density.

The other things that I have written in here, where there was a strategy, in the plan for a certain set of zoning changes, has the Commission accomplished that? For the most part, over the last ten years the zoning regulations have been changed to reflect housing, land use and economic policies. We used to permit ten story buildings, that was taken out of the regulations, we used to permit a density of up to 29 units per acre, that was reduced substantially down to about nine and a half, ten units per acre. So those big policy decisions prior Commissions have followed through on, and used the plan as a guide.

Those are the first three components, I won't go through every single one, at the next meeting I'll add to this, the environmental open space component, some of the strategies of what has been done and what hasn't been done, the community facilities component, and the transportation component. That will cover all six components from the existing plan, and I think it will be a good starting point when you go to public workshops in January as sort of relating to the public what was proposed, what has been accomplished, what hasn't been accomplished and why we haven't accomplished it. One of the examples, there was some attempt to keep Loctite in town, North Mountain Road, do a campus plan for them, there were some attempts to do that, by changing the road design and working with Balf to buy, Balf has twelve acres up there on Hartford Avenue and that was all put forth to Loctite at the time, but you know, they were also going through acquisition by the German company that picked them up, and they had different corporate plans so they moved out, so that was an economic development attempt that didn't come to fruition.

There are some zoning changes that you made on the Berlin Turnpike to get warehousing and contractor's yards off the turnpike, push them over to industrial zones. The drive-through restaurants is another one, where that has been in, it's been out, fraternal organizations in industrial zones, you tightened up on that, you tightened up on limiting retail uses in industrial zones, all those strategies came out of the Plan of Development.

The Town Center, you adopted the overlay district and the Town Center Design Guide Lines, reduced the setback for buildings that meet the design criteria, CVS, the Walsh Avenue block was redone, so I think you should go down the list. Quite a few things have been done. Some things we weren't able to accomplish. The small neighborhood business districts, we had talked about design guidelines for those, like New Britain Avenue and Maple Hill, Stoddard and Main Street, we haven't gotten the individual design guidelines for those districts yet. That may be something that we should keep in the plans as you go forward. I know that they feel sometimes taking to some of the property owners in those districts, they feel real left out. The town center gets all the attention. Gets the STEEP grants, gets the Christmas decorations, so I'm hearing that from the Economic Development Commission. They want to start looking at those small neighborhood districts, and that is an appropriate plan strategy to work into your future plan. So that is what this is about, it's like doing an audit of where we are. I think the real nuts and bolts is the existing land use map and what you want to do for future land uses. I don't see a lot of latitude for changes because we have had zoning since 1929, we haven't got much vacant land left, as I said I don't think there is a policy, pressing policy issue to substantially change density except in a selected few areas around maybe the busway corridor, if you want to pursue that as a policy. There is also, being promoted by the State now, Smart Growth, housing opportunity zones. That's coming from the State of Connecticut and Governor's Council on Smart Growth, and the other thing that we have to keep in mind as we go through this process is some level of consistency with the State Plan of Conservation and Development, which is very broad brush,

and the CCROG plan, which is, I'll call that a macro version where the town is more of a micro version, so it's all doable and the schedule is giving ourselves a year to get it done. The goal is to get all of this through public workshops over the winter and then have it ready for public hearing. It has to go to the Town Council this time for public hearing and back to you for adoption, and then get it ready to go to printing at this time next year. It's all done by that point. That's just a real broad overview of what the schedule is.

Chairman Hall: And I see that you have copies there.

Ed Meehan: You should have, I think everybody has this, if you haven't got one..... That is the guide that we can take to public workshops, the guide that was shared with the development commission in the past, and the conservation commission, park and rec have that. The park and rec did a very extensive recreation plan last year, it's more directed at capitol facilities, or capitol needs plan, but they have some things in that plan that we can use because they did some analysis of household types, household needs, did some questionnaire surveys. I have also looked at some samples of putting, I'd like to get most of this stuff on the web as it develops and have a special section of the web that the public can go to, maybe a short questionnaire survey on the web, that would be helpful. The last time too, we had some good workshops, there were strong workshops in the economic development area, and conservation, environmental components, but beyond that we didn't get a lot of public participation, as much as we tried. Folks just didn't come out and talk about it.

Commissioner Ganley: We had some discussions, this is going back, a while back about the Children's Hospital property. As part of the discussion, as part of what we put into the planning would it be in our best interest to say what we would like to see there because it is open space, irrespective of what they want to do, our idea of what they ought to do would be whatever we think they ought to be doing with that particular piece of property. I recall, wasn't it a drugstore that was going to go on the corner of Constance Leigh and Cedar, we had a big to do about that, and we adopted I think a very good hard and fast rule which I would still support today, that Constance Leigh Drive would be developed as one piece because of the drainage and engineering, ripping up the street every time they put a store in. So that might be part of what we are saying ought to be done with that strip on Constance Leigh, that if it's going to be developed, it's one piece all the way down the street to solve the drainage all at one time, but the piece up in the back, the vacant land up in the back, we may have an opinion around this table about what ought to go there and then that will be part of our plan. It is open space, it is available only in that it is open, and I think there ought to be something that we might take a good look at, say, this more dense housing for instance, town house developments, or town house housing configuration, which gives you the density situation which may lead to better bus service because there are more people, and the town center has a population within an easy walking distance, those kinds of things, because that piece is right there. In fact, it's right in the center of town.

Ed Meehan: That is exactly what the plan should do. That's a good example of the level that you can be at in the plan. You don't need to get into specific design criteria, or you are not writing zoning regulations at this point, you are setting forth a vision and a policy as to what you want to see happen in the next level. Plus, it's your fall back position and I think the Commission used this when CVS or the Walgreen's store came in because the Commission could say to the applicant when they petitioned for a zone change, that was not supported by the Plan of Development. That's a strong position to take.

Commissioner Ganley: And the site plan, I believe that you asked them twice to put the cars in the rear and they came back twice with the cars in the front. They didn't listen.

Chairman Hall: Any others?

Ed Meehan: No, I don't think, you guys can read this as well as anybody else, and if you read this in light of the existing plan, if there are things that you see that, as Tom mentioned, ought to be in the next go around, just jot them down, start collecting ideas. We, Newington has the luxury of being in a great location, if nothing else, we haven't got a lot of land left, but we, our location is so good, sometimes it's too good based on the traffic that we have, east/west traffic, but the location being in central Connecticut off of Route 9 and close to Hartford and the Berlin Turnpike, it's a good economic location, and I think the west end of town, Cedar and Fenn, that corridor, what CCSU has in mind for the, what they call their east campus, which is basically Newington, is going to have a profound effect on what that end of town could look like in ten years. I'm not sure the busway is going to become a reality, if it does, it could take off and be a catalyst for economic growth over there.

Chairman Hall: Who knows, maybe it will be a train station instead of a busway.

Ed Meehan: Well, that's the thing, I don't want to get too far, but you have the New Haven-Hartford-Springfield line being looked at.

Chairman Hall: That's right, and that's the thing that makes sense.

Commissioner Ganley: What's the one that runs south, along Route 8, going south toward East Haven.

Chairman Hall: Metro-North.

Commissioner Ganley: Well, they are doing some stuff with that.

Chairman Hall: Any other comments, questions?

XII. ADJOURNMENT

Commissioner Fox moved to adjourn the meeting. The motion was seconded by Commissioner Kornichuk. The meeting was adjourned at 8:25 p.m.

Respectfully submitted,

Norine Addis,
Recording Secretary